



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2502474 / 3003704

Applicant Name: Ken Boyd, Mithun Architects for Schnitzer Northwest

Address of Proposal: 2911 Second Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the future construction of a 13-story mixed use building with 237 apartment units and 4,108 square feet of retail commercial use at ground level. Parking for 252 vehicles provided in a below-grade garage. Project includes demolition of an existing four-story, 60,000 square foot office building.

The following Master Use Permit components are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41 with Development
Standard Departures:**

1. Lot Coverage – To increase lot coverage above 65' (SMC 23.49.158.A)
2. Lot Coverage – To increase lot coverage above 85' (SMC 23.49.158.A)
3. Side Setback – To reduce the setback at the interior property line (SMC 23.49.166.A)
4. Wall Dimensions – To increase wall dimensions and eliminate separation between walls between 65' and 125' (SMC 23.49.164.A)

SEPA Environmental Review - Seattle Municipal Code (SMC) Section 25.05

SEPA DETERMINATION:

☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions*

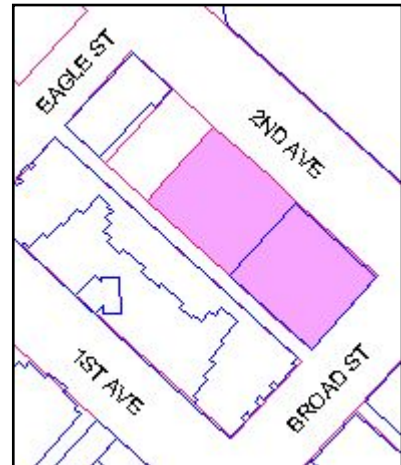
☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

* Notice of early DNS was published on December 8, 2005.

BACKGROUND DATA

Site Description

Located at the corner of Second Avenue and Broad Street, the proposed development comprises a 125-foot high mixed-use development on the west side of a block bound by First and Second Avenues, Broad and Eagle Streets. The proposal calls for commercial uses occupying the street level along Second Ave and residential uses (237 units) on the upper floors. Parking (252 stalls) would be located below-grade.



The 29,920 square foot rectangular shaped site is within a Downtown Mixed Residential/Commercial zone with a height limit of 125/65 feet (DMR/C 125/65). The proposed development includes the demolition of one structure currently on the site, as well as the existing surface parking lot. Views of the Space Needle, Elliott Bay, and Seattle Center would be captured from the upper levels of the proposed building.

Vicinity

This area of the Denny Re-grade, just one block from Denny Way and two blocks from Seattle Center, has an eclectic mix of land uses and structures. The 25,920 square foot site has a gradual ten-foot rise from north to the south. Surrounding buildings include a four-story brick apartment building abutting the site to the north and a six-story mixed-use building across the alley to the west. Other nearby structures includes the Bay Vista, Concord and Ellington condominium buildings with ground level commercial uses. Among the taller residential towers in the vicinity are the Bay Vista Condominiums, to the south of the site. Land uses include a variety of offices, retail, social services agencies, multi-family residential and surface parking lots.

The Downtown Mixed Residential/Commercial (DMR/C 125/65) zone surrounds the subject site in all directions. Across the street to the east, however, the zone changes to Downtown Mixed Commercial with an 85-foot height limit. The height limit decreases as one approaches Denny Way and the Space Needle. Properties across Denny Way have a zoning classification of Neighborhood Commercial Three with an 85-foot height limit (NC3-85).

Second Avenue has one-way traffic southbound with parallel parking on both sides of the street. Broad Street is two-way street with parallel parking on both sides of the street. Second Avenue is a designated Class One Pedestrian Street and Broad Street is a designated Principal Transit Street. An existing alley runs along the west side of the site.

Proposal

Master Use Permit for future construction of a 13-story mixed use building with 231 apartment units and 4,005 square feet of retail commercial use at ground level. Parking for 252 vehicles provided in a below-grade garage. Project includes demolition of an existing four-story, 60,000 square foot office building. Vehicle access to the site is from the alley.

Public Comments

The Early Design Guidance Meeting was held on July 12, 2005 and approximately 11 members of the public attended the Early Design Guidance meeting. The City received eight additional comment letters and/or requests to become a Party of Record. Comments focused on the following issues:

- For many of the attendees, who live in the nearby Bay Vista, Concord and Ellington condominium buildings, views of the Space Needle would be obstructed by the proposed structure.
- Concern that the fast-moving traffic along Second Avenue will be exacerbated by the addition of cars to the neighborhood, making pedestrian crossing very difficult;
- Enhancing the views of the building from the top should be an important aesthetic objective in the design of the proposed building;
- Encourage the applicant to consult with the Belltown Design Guidelines;
- Suggest widening the Broad Street sidewalk – especially in anticipation of the Sculpture Park as a pedestrian destination;
- Concern that the massing presented in Options and 1 and 2 are too bulky and undesirable;
- Encourage cutting away or breaking the massing down at the corners will help preserve views from neighboring buildings and can help reduce the sense of bulk;
- In Option 3, keeping the two towers as far apart as possible is desired;
- The neighborhood has a dearth of parks and open spaces, so including such an amenity, along with a vibrant ground level commercial space, is critical;
- Stress that the dumpsters should be accommodated within the proposed building during the non collection hours/days in order to avoid obstructing the alley;
- Suggest increasing rooftop amenities for tenants, especially given the small unit sizes proposed;
- Prefer that the proposed building reach 8 stories in height and not the proposed 13 floors, given the views of Queen Anne that will be blocked;
- Prefer the wedding cake massing, where each floor steps back;
- The loading dock should be accommodated preferably off the alley;
- Concerned that the proposed building and the existing Bay Vista building will create a wind tunnel effect;
- Concern that the vibrations generated by construction activity will negatively affect recording studio next door;
- Noting that the ground level retail of the nearby Ellington building is well-done, is inviting to pedestrians and contributes to the liveliness of the street – this building should also be designed to encourage such interaction with the street;
- Objecting to the loss of the existing building and the additional traffic associated with the proposed building;
- Concern that the proposed structure will obstruct views from neighboring properties; and
- Stress that Second Avenue is a gateway to downtown Seattle and that Broad Street is a busy high-volume arterial providing a connection to the Sculpture Park and the waterfront. The proposed building should step back to preserve views from these streets to the Space Needle.

The Second Early Design Guidance Meeting was held on November 8, 2005 and approximately 11 members of the public attended the Second Early Design Guidance meeting. Comments focused on the following issues:

- It has not been made clear why the proposed departures will create a development that is beneficial to the public.
- Clarify that the tower width at various heights. Note that the proposed increased lot coverage at 125' is a major difference.
- Clarify that entries to townhouse units will be 4-5' higher than the sidewalk.
- Question how the proposed landscaping ties into the surrounding landscaping.
- Broad Street is a gateway to the new Sculpture Park and Seattle Center. Views of the Space Needle will increase if the building steps back from the upper levels on Broad Street.
- The northeast corner of the Second Avenue façade will not receive much light. The building configuration goes against the Belltown policy of a tower parti rather than a slab and consequently affects the reduction of light and creates a larger mass than is typical of the neighborhood.
- Note that landscaping near curb can thrive, while grasses don't survive as well.
- The alley facade needs to have more scaled elements designed into it.
- The development should include functional open spaces for tenants and the public – proximity to open spaces in the area is not sufficient.
- Proposed building mass is a community concern.
- Suggest that the four story portion of the building currently shown on the north side should instead be located at the south end.
- Broad Street is a very active pedestrian street.
- Seating along the Broad Street sidewalk will be wasted given narrow sidewalk and fast moving traffic.
- Landscape design is exciting and the reference to the Sculpture Park is admirable, but needs to be made safe. Consider integrating lighting into the pavers and up-lighting the building.
- Concerned that the alley access and programming is too tight.
- Do not see the whimsical elements integrated into the elevation design.
- The brick bookends and the center glass part do not relate to each other well – this relationship should be further examined.
- Broad Street should be treated as a significant connection to the waterfront.
- Interesting in seeking new design types that are not currently found in Belltown, especially with higher quality materials.

The Final Design Meeting was held on January 31, 2006 and approximately six members of the public were present at the meeting. Public comment and clarifying questions focused on the following issues:

- Continue to be concerned that the building mass is too large and will block sun and views. The number of units has increased since the inception of this project. The vertical glass bay may be transparent but it is still blocking views. The loss of sunlight on the sidewalk can lead to moss growth on the concrete and the proposed solar powered LED lights embedded in the sidewalk may be problematic for this reason.

- Praise for the extensive use of brick, a highly durable material, on the building façade, the below grade parking and the eight foot setback on Broad Street that specifically responds to the DRB guidance from the EDG meeting. Also noted support for the creative and extensive landscaping design.
- Remain concerned with the upper level coverage given that a square foot up high has a greater impact than a square foot on a lower level.
- Would like to see greater detail on the Broad Street façade to ensure that it does not become a blank wall behind the transparent windows.
- Also, interested in the height of the townhouse stoops to allow for privacy for these ground level units.
- Suggest that landscaping design could be extended to the end of the block to better transition into the project site.
- Advocate against retail spaces located at the corner of the alley – difficult to lease. Also, requiring clear glass at the alley corner is problematic for this reason.
- Question whether the stepped back portion of the building on the north can be switched with the southern end to preserve views down Broad to Western.
- Saddened to lose views of the Space Needle and Science Center arches.
- Clarify that a storm water retention system is not proposed for this project.
- Clarify that the amenity spaces are for the tenants, not the general public.

The SEPA comment period for this proposal ended on December 21, 2005. Two comment letters were received focusing on the following issues:

- Suggested corrections to the Design Review notes.
- Requesting to be a Party of Record.
- Support for high quality building materials and setbacks from the street.

ANALYSIS - DESIGN REVIEW

Design Guidance

At the Early Design Guidance meeting, the applicant presented several massing diagrams. Option #1 showed a six-story mass with 100 percent lot coverage. Above the sixth floor, the massing is set back from the north property line and the alley. Massing of Option #2 resembles the previous scheme, but varies with a vertical notch separating floors seven through thirteen by 15-20 feet. The alley façade does not step back. Option #3, the preferred alternative, illustrates two thirteen story towers connected in the middle by a five story mass set back 40-feet from the Second Ave property line. The 50-foot wide, 40-foot setback of this midsection creates an opportunity to create an entry plaza. This scheme also shows the setback above the first six stories from the north property line. All of the schemes take access from the alley and have below-grade and some above grade parking located within the structure along the alley.

At the second meeting, a slightly revised design approach was presented to the Board. This new direction was based on the outcome of focus group studies showing an interest in unusual building design with high quality materials that is oriented towards the Space Needle. As a result, the design has evolved toward a simpler envelope, with less skin, using higher quality

exterior materials that are durable and sophisticated. The building program remains the same with ground level commercial retail uses focused at the intersection of the Broad and Second, four ground level townhouse units along Second Avenue at the north end of the site and residential units above. All of the access, service and loading activity continue to be from the alley.

The proposed design presents two heavier, brick building masses with punched oversized windows at the northern and southern ends of the site, connected by a lighter, glassier span. The building mass has been shifted to the Broad Street side to the south. Although still under development, the rooftop form is intended to be an iconic, sculptural and whimsical design. A rectangular protrusion, expressing the size of the loft-type windows, is shown at the top two floors directly above the main entrance at the roof level. The building steps down to a four story height at the north end.

The landscape concept has remained similar from the initial meeting in creating a ground plane design that is safe, usable and inviting. The landscape plan has been divided into three zones: the “linear park” (a densely planted space along Second Avenue), a curb bulb at the intersection allowing retail activity to spill out into the right-of-way and the Broad Street concept with horizontal bands of grasses creating a sense of movement and green texture along the street.

The Design Review Board reviewed the final project design on January 31, 2006, at which time site, landscaping and floor plans, as well as elevation sketches and renderings, were presented for the members’ consideration. At the Final Recommendation meeting, the proposed design had evolved to include widening of the Broad Street sidewalk, a detailed and multi-tiered landscaping plan, revised roof forms and distinct programming elements at street level. The building footprint has been shifted back from the south property line by eight feet, substantially adding to the Broad Street sidewalk. The roofline now includes whimsical, curvilinear forms screening the mechanical equipment and referencing the Space Needle. The box previously shown at the top level directly above the entry has been slightly revised to become a notch frame aligning with the roofline lending a more playful element to the design. The ground plane has been broken into four spaces that are addressed primarily by the landscaping design, but also by the lighting scheme and other architectural features.

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment on July 12, 2005 and November 8, 2005, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle’s “*Design Review: Guidelines for Downtown Development*” of highest priority to this project. The Belltown specific supplemental Design Guidelines are in italics. The plain text following the guidelines elaborates on the Board’s discussion of the design issues. The Board’s final recommendations are in bold italics.

A. Site Planning & Massing

- A-1 Respond to the physical environment.** Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site. *Develop the architectural concept and arrange the building mass to enhance views. This includes views of the water and mountains, and noteworthy structures such as the Space Needle.*
- A-2 Enhance the skyline.** Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

The Board supported the “vertical wedding cake” massing of the upper floors into two towers and lower level configuration creating an entry court that reinforces the separation of the two towers on either side. This configuration has been established in several recent Belltown developments and seems to work well in this context. The Board, like the neighbors, supports the concept of additional pocket parks in Belltown and looks forward to reviewing well-considered details of this ground level entry court. The Board generally supports pushing the bulk of the building northward, as long as the left-over setback distance does not preclude future development on the abutting site to the north. The Board noted that the corner at Second and Broad is a special and spatial node that should be designed as a point of interest, both at street level as well as on the building itself.

At the Recommendation meeting, the Board was pleased with the attention given to the ground plane. The retail corner is expressed with a wide sidewalk with a curb bulb, vertical marquees, canopies, large transparent storefront windows, LED lights embedded in the sidewalk, along with metal panels in a criss-cross pattern, up-lighting of the building and down-lights from the canopies, and blade signage. This widened sidewalk continues from the corner down both Second Avenue and Broad Street and is treated with generous landscaping reminiscent of a “Green Street”. The Board was very pleased with the well-designed right-of-way, the strong building mass and high quality exterior materials.

B. Architectural Expression

- B-1 Respond to the neighborhood context.** Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood. (c) *Design visually attractive buildings that add richness and variety to Belltown, including creative contemporary architectural solutions.* (d) *Employ design strategies and incorporate architectural elements that reinforce Belltown's unique qualities. In particular, the neighborhood's best buildings tend to support an active street life.*
- B-3 Reinforce the positive urban form & architectural attributes of the immediate area.** Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development. (a) *Respond to the regulating lines and rhythms of adjacent buildings that also support a street-level environment; regulating lines and rhythms include*

vertical and horizontal patterns as expressed by cornice lines, belt lines, doors, windows, structural bays and modulation. (b) Use regulating lines to promote contextual harmony, solidify the relationship between new and old buildings, and lead the eye down the street. (c) Pay attention to excellent fenestration patterns and detailing in the vicinity. The use of recessed windows that create shadow lines, and suggest solidity, is encouraged.

B-4 Design a well-proportioned & unified building. Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

The Board agreed that chiseling away the building corners would provide greater relief, as well as provide sensitivity to existing views and potential future development to the north. *At the second EDG meeting, the Board reiterated a desire to see greater carving out of the corner at the intersection.*

The Board emphasized the importance of designing the rooftop as a “fifth” façade that will be highly visible from surrounding properties. As such, the mechanical equipment should be screened with architectural and sculptural forms and the landscaping of the roof level should likewise provide a visually pleasing aesthetic. The Board greatly favored a green-roof design.

The Board suggested that the building form reflect patterns or lines established by the Bay Vista, the building across the alley or other nearby buildings. Beyond echoing these lines, the Board encourages the applicant to develop a design that is quirky, with a whimsical character unique to this building. The Board would like the design of these towers to explore whether the two towers elements should be identical or distinct from each other, while integrating elements of similarity.

At the second EDG meeting, the Board felt that the proposed parti breaking the building into four principal masses (two brick corners, glass midsection and four-story appendage at the north end) works well for the site. The Board did note, however, that the Broad Street elevation appears too boxy and needs greater attention to break down the boxiness. Similarly, the Board agreed that they did not see the whimsy they were hoping for in the design development. The building should assert a greater personality. They also lamented the loss of the courtyard element and wrap around retail included in the first presentation. The Board agreed that views of the Space Needle should be maximized.

At the second EDG meeting, the Board applauded the proposed higher quality materials to be used for the building exterior. It was agreed that Belltown could use buildings with a strong sense of permanence. The Board did recommend, however, that the extensive glass mid-section of the building should appear as clearly residential and not look like an office building. The Board also agreed that the brick corners should not look too redundant or static and could include greater variety. The Broad Street elevation, in particular, needs to be further studied and include greater visual interest.

The Board also reiterated that the roof level should be more sculptural and soften to open up light to the street.

At the Recommendation meeting, the building mass was designed to break down to the human scale as it reaches the sidewalk. The simple brick forms establish bookends with the transparent glass span in between. The playful roofline accentuates the residential entrance, while the metal clad curvilinear forms at the rooftop add a whimsical element to the design. The Board expressed satisfaction that the design incorporating durable, high quality materials, locates all of the parking below grade, contributes significantly to the public realm and introduces urban townhouse units to the neighborhood as well.

C. The Streetscape

- C-1 Promote pedestrian interaction.** Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming, and open to the public. *(b) Vary in size, width, and depth of commercial spaces, accommodating for smaller businesses, where feasible. (c) Incorporate the following elements the adjacent public realm and in open spaces around the building: unique hardscapes, pedestrian-scale sidewalk lighting, accent paving, seating, water features, art and landscape elements. (d) Building corners are places of convergence.*
- C-2 Design facades of many scales.** Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.
- C-3 Provide active—not blank—facades.** Buildings should not have large blank walls facing the street, especially near sidewalks.
- C-4 Reinforce building entries.** To promote pedestrian comfort, safety, and orientation, reinforces the building's entry.
- C-5 Encourage overhead weather protection.** Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes. *Overhead weather protection is an important design consideration in Belltown to provide human scaled proportions and pedestrian comfort in the public realm. Pedestrian activity and pedestrian oriented uses are facilitated when weather protection is provided adjacent to the public sidewalk.*
- C-6 Develop the alley facade.** To increase pedestrian safety, comfort, and interest, develops portions of the alley facade in response to the unique conditions of the site or project. *(g) In designing a well-proportioned and unified building, the alley façade should not be ignored. An alley façade should be treated with form, scale and materials similar to rest of the building to create a coherent architectural concept.*

The Board asked for more detailed studies and alternatives to show the pedestrian realm. The Board is very supportive of the entry court and encouraged that the retail spaces wrap around into the entry court, carrying activity inwards and emphasizing the residential lobby entrance. These retail spaces should include tall ceilings, inviting doors and large storefront windows.

Overhead weather protection should be provided and be an integrated architectural element within a larger design framework or concept for the building. The design of the overhead weather protection should provide an opportunity to individualize or personalize the proposed structure at street level. The Board expects that the canopies will wrap the building onto both Broad Street and Second Avenue.

The Board wants the above grade parking to avoid extending to the exterior walls at the ground level. The Board also suggested that the applicant explore integrating a drop-off zone on Second Avenue in front of the entry court.

The Board recommended the applicant to explore widening the sidewalk along Broad Street to help create a more inviting, spacious area for pedestrians.

In order to activate the alley, the Board suggests that the commercial spaces at ground level wrap around the corner from Second Avenue to Broad Street. The Board would like to see a minimum of 80% commercial use along Broad Street. The Board also encouraged that this commercial space wrap around to the alley, thereby allowing views to and from the alley. The Board would also like to see the dumpsters hidden within the building, keeping the alley clear. The Board suggested that perhaps this building could help accommodate dumpsters from adjacent buildings to help achieve a cleaner, cleared out alley.

At the second EDG meeting, many of these issues were not discussed, but will be discussed at future meetings. The Board did note that the retail design vocabulary should continue down Broad Street and envelope the proposed display window at the alley corner.

At the Recommendation meeting, an extensive landscaping plan was introduced showing four districts at the ground plane, all in keeping with the green street character. At the north end of the building, in front of the townhouse units, the landscaping takes on a residential quality with hedges, lawn, Bosque trees and wrought iron fencing around the stoop areas giving a urban townhouse character that draws upon the well-landscaped triangle at the Denny and Second Avenue intersection. At the residential entrance, the space becomes wider and the double allée of trees become a triple row. At the corner, the character changes to become more commercial with textured concrete accent strips in the sidewalk, café seating space, LED lighting embedded in the sidewalk in a random pattern. Along the Broad Street, the eight foot building setback takes on a more rhythmic pattern as one proceeds down towards the water and future Sculpture Park. Amenity areas for the building tenants are also proposed at the rooftop and at the stepped back area above the northernmost portion of the building. These areas include seating and landscaping. The Board enthusiastically supported the right-of-way design in its entirety.

At the building's southwest corner, at the intersection of the alley with Broad Street, a vertical glass bay projects outward and will emit light from the interior units.

The north façade is a blank wall that has been treated with a reveal pattern and will benefit from landscaping visible at the built in planters along the north side of the amenity space above the sixth floor.

As the building wraps around to the alley, the interior commercial space becomes narrower. The glazing shown at this corner will help activate this corner. The Board discussed that the commercial tenant will be responsible for ensuring that these windows are well maintained whether they are shadow boxes or transparent exterior glazing. Ideally, they should interact with the sidewalk and alley view and not turn away from sidewalk activity. The Board does not want this façade to be a blank wall that discourages visual connection to the alley.

D. Public Amenities

- D-1 Provide inviting & usable open space.** Design public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal area of the open space should be especially emphasized. *Mixed-use developments are encouraged to provide useable open space adjacent to retail space, such as an outdoor café or restaurant seating, or a plaza with seating. Residential buildings should be sited to maximize opportunities for creating useable, attractive, well-integrated open space.*
- D-2 Enhance the building with landscaping.** Enhance the building and site with substantial landscaping, which includes special pavements, trellises, screen walls, planters and site furniture, as well as living plant material.
- D-3 Provide elements that define the place.** Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building. *New installations on Third Ave. should continue to be “civic” and substantial and be reflective of the role the street plays as a major bus route. Promenade Streets (Third Ave.): sidewalks should be wide and pedestrian amenities like benches, kiosks, and pedestrian-scale lighting are especially important on promenade streets. Street Edge/Furnishings: Concentrate pedestrian improvements at intersections with Green Streets (Clay. Pedestrian crossings should be “exaggerated,” that is they should be marked and illuminated in a manner where they will be quickly and clearly seen by motorists.*
- D-6 Design for Personal Safety and Security.** Design the building to enhance the real and perceived feeling of personal safety and security in the immediate area. (c) *Orient outside lighting to minimize glare within the public right-of-way.*

The proposed development plans to retain the existing Norway Maple street trees along Second Avenue and the Linden trees along Broad Street. The Board is particularly interested in the design quality of the sidewalk environment and suggested that the planter areas could be widened, similar to some of the green street designs.

At the second EDG meeting, a well-developed right-of-way plan was presented that included a courtyard area with a water feature, seat walls and double rows of Maple trees. The Second Avenue sidewalk has been widened to include concrete planters, sidewalk, planting strip planted with Japanese maples in a double allé formation.

Of great significance to the Board is the design of the rooftop –the fifth façade – considered of equal importance as the four vertical facades. The rooftop will be visible to surround properties and should include well-programmed open spaces, landscaping, full screening of the mechanical equipment and architectural details that carry through the rest of the building’s design aesthetic.

As noted earlier, the corner of Second and Broad should include design details and features that exude a sense of place. In addition to the corner, the Board will also be very interested in seeing the details of the courtyard space.

At the Recommendation Meeting, the Board was pleased that significant public amenities were considered and integrated into the proposed design. The generous landscaping on both 2nd Avenue and Broad Street provides visual interest and seasonal variation and addresses specific programmatic needs of the site while maintaining an integrated design. The linear park element with the change in paving, Japanese Maples, planting strip, residential character and stoop areas defines the northern portion of the public realm. The arrival court, at the residential entrance, also has special paving, lighting, signage and a triple row of trees. The retail corner uses a textured concrete banding and LED lights embedded in the sidewalk, café seating area and a wider sidewalk space. The Broad street character provides the linkage between the water and Seattle Center and includes stainless steel planters with grasses. For further discussion, please see section C above. The Board was very supportive of the creative and interesting pedestrian environment that will be created with the proposed landscaping, lighting, signage, fenestration and canopies.

E. Vehicular Access & Parking
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E-3 Minimize the presence of service areas. Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements, which for programmatic reasons cannot be located away from the street front.

All of the parking and service functions have been located off of the alley.

Design Review Departure Analysis

Four departures from the development standards were requested and recommended for approval: lot coverage above 65 feet, lot coverage above 85 feet, side setback and wall dimensions standard requirements.

Table: Summary of Departures

STANDARD	REQUIREMENT	REQUEST	BOARD DIRECTION
LOT COVERAGE SMC 23.49.158.A	55 % lot coverage above 65'	70% lot coverage	Board recommends approval of the proposed departure given the eight foot setback along Broad Street (widening sidewalk) and extensive landscaping design along 2 nd and Broad.
LOT COVERAGE SMC 23.49.158.A	50 % lot coverage above 85'	70% lot coverage	
SIDE SETBACK SMC 23.49.166.A	40' setback at interior property line	26' side setback	Board recommends approval of the proposed departure because area of setback is designated usable and well-programmed open space.
WALL DIMENSIONS 23.49.164.A	Maximum wall dimension is 120' for portions of structure between 66'-125' and separated by 20' in all directions.	175' at the penthouse level without separation	Board recommends approval of the proposed departure given the sculptural forms at the rooftop.

1. **Lot coverage above 65 feet (SMC 23.49.158.A).** The Code requires 55% maximum lot coverage above 65 feet. The proposed design would increase this lot coverage to 70%.
2. **Lot coverage above 85 feet (SMC 23.49.158.A).** The Code requires 50% maximum lot coverage above 85 feet. The proposed design would increase this lot coverage to 70%.

The Board initially expressed concerned with the amount of lot coverage proposed. While they understand that the building is endeavoring to be more vertically articulated and avoid the typical wedding cake configuration, the Board expects to see better rationale for granting such a departure. The applicant noted that the lower levels are below the allowed lot coverage while the upper levels are higher. The Board is interested in seeing what the allowable square footage would be if the lot coverage standard were applied without departures. Including high quality exterior materials and detailing are critical factors for making this a better project, but the Board feels that additional justification is needed.

At the Recommendation meeting, the design had been updated to include an eight foot setback along Broad Street to offset the increased upper level lot coverage. The architect also presented clear graphics showing that the total square footage possible allowed under a code-complying scheme could be approximately 11,000 square feet greater than that proposed. The graphics also demonstrate how the lower floors are under the allowable lot coverage. The Board found this information convincing as well as the addition of a ground level setback and inclusion of extensive and generous landscaping and creative design features at the ground level which will be visible for the general public's enjoyment. Therefore, the Board believed that the intent of the Code was satisfied and the resulting design is improved. All four Board members voted unanimously in favor of the departure. (A-1, B-1, B-3, B-4, C-1, D-1, D-2, D-3)

3. **Side setback at interior property line above 65 feet (SMC 23.49.166.A).** The Code requires a 40 foot side setback at the interior property line. The proposed design now shows this setback at 30 feet (as opposed to the 15 feet proposed at the first meeting with the two tower configuration). The Board wants this setback area to be used as functional open space.

At the Recommendation meeting, the Board supported this departure as the area of the setback is designated as amenity space for the residential tenants with landscaping and seating. The reduced setback is partially due to the ground level setback provided along Broad Street, which the Board strongly supported. The Board agreed that the dimensions at issue are virtually imperceptible and that the building proportions are improved as a result. Therefore, the four Board members voted unanimously in favor of the departure. (B-1, B-3, B-4, C-1, D-1, D-2, D-3)

4. **Wall dimensions (SMC 23.49.164.A).** The Code requires that the maximum wall dimension is 120' for portions of structure between 66'-125' and separated by 20 feet in all directions. The proposed design would extend this dimension to 175' at the penthouse level only without separation. The Board is interested in the design and forms of this level and will wait to see how the design has evolved in order to support this departure.

At the Recommendation meeting, the Board was pleased with the sculptural form and elegant silver metal material of the rooftop mechanical screening. The proposed design screens the mechanical equipment from view, while also incorporating a whimsical design element into the building that the Board had encouraged. Therefore, the four Board members voted unanimously in favor of the departure. (A-1, A-2, B-1, B-3, B-4)

Summary of Board's Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the January 31, 2006 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design including:

1. The architectural features and details presented at the Final Design Review meeting and described under Guidelines A-1, A-2, B-1, B-3, B-4, C-3, D-1, D-2 and D-3 including:
 - a) a variety of banner blade signs;
 - b) overhead steel and glass canopies;
 - c) exterior light fixtures;
 - d) landscaping; and
 - e) roof forms;
 - f) large, transparent storefront windows.

2. As described under the Public Amenities Guidelines, the extensive sidewalk design, with patterns and textures including metal and LED insets in the concrete presented at the Final Design Review meeting.
3. The building materials presented at the Final Design Review meeting.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along Second and the Belltown community, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape, encourage pedestrian activity and promote interesting design.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*
- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four members of the Downtown Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood's unique conditions. Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board.

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Downtown. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **APPROVES** the proposed design and the requested departures with the conditions enumerated above and summarized at the end of this Decision.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 18, 2005. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and

non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 30,250 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of air quality, noise, grading and traffic impacts is warranted and summarized below:

Environmental Element	Discussion of Impact
1. Drainage/Earth	<ul style="list-style-type: none">• 30,250 cubic yards of excavated materials.
2. Traffic	<ul style="list-style-type: none">• Increased vehicular traffic adjacent to the site due to construction vehicles.
3. Construction Noise	<ul style="list-style-type: none">• Increased noise from construction activities.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 30,250

cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the demolished materials will be removed from the site prior to construction. During demolition a single-loaded truck will hold approximately 10 cubic yards of material. This would require approximately 3,025 single-loaded truckloads to remove the estimated 30,250 cubic yards of material.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

This condition will assure that construction truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

There will be excavation required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential and community center uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows.

Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Due to the type, size and location of the proposed project, additional analysis of parking and traffic impacts is warranted and summarized below:

Environmental Element	Point of Discussion
1. Parking	• Increase in parking from proposed development.
2. Traffic	• Increase in traffic from proposed development.

Parking

A traffic study was submitted to DPD by The Transpo Group dated October 26, 2005 evaluating the impacts of the expected parking demand generated by the proposed development.

The existing site contains 48 parking spaces, all of which are located on a surface parking lot accessory to the existing office building. The proposed development includes 252 parking spaces to be provided on-site in a below grade garage that will be accessed from the alley. Using the Third Edition of the Institute of Traffic Engineers *Parking Generation Manual*, parking generation rates associated with Mid Rise Apartment and Shopping Center were used. The results of the parking generation are shown below:

Parking Demand Calculations: Existing & Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Independent Variable	ITE	Total Spaces per ITE	SMC Required	Proposed
Proposed	Mid Rise Apartment (ITE 221)	Multifamily Residential	237 units	1.00 spaces/unit = 237 spaces	248	237	252
Proposed	Shopping Center Retail (ITE 820)	Commercial Retail	4,108 SF	2.65 spaces/ 1,000 SF = 11 spaces			

According to the ITE report, the 4,108 square feet of commercial uses associated with the proposed project would require approximately 11 parking spaces during the peak hour. The 237 proposed residential units would require approximately 237 spaces during the peak hours likely between late evening and early morning. The proposed development will provide 252 spaces, an excess of four spaces above the anticipated demand.

Therefore, the estimated parking demand generated by the proposed project is not considered adverse and the parking impacts require no further mitigation. Furthermore, SEPA Policies do not allow for mitigation of parking spillover in downtown zones.

Traffic

A traffic study was submitted to DPD by The Transpo Group dated October 26, 2005 evaluating the impacts of the proposed development to the surrounding street system.

The vehicular traffic generated by the project will be both residential and business-related and will likely peak during the weekday PM hours. As depicted in the traffic study, trip generation information was calculated using average PM peak hour trip generation rates obtained from the Seventh Edition of the ITE *Trip Generation Manual*. For the existing and proposed developments, trip generation rates associated with General Office, High-Rise Apartment and Specialty Retail were used. The results of the trip generation are shown below:

Trip Generation Calculations: Existing & Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Independent Variable	Average Daily Trips	PM Peak Trips Generated	Total PM Peak Trips Generated
Previous	General Office (ITE 710)	Admin Office	60,000	11.010x60 = 660	44	44
Proposed	High Rise Apartment (ITE 222)	Multifamily Residential	(Unit Count) 237	1,116	86	89
Proposed	Specialty Retail (ITE 814)	Commercial Retail	4,108 SF	53	3	

Using the ITE data, there will be approximately 45 additional trips in the PM peak hour associated with the proposed combination of uses. These additional trips do not reflect any reduction in trips due to use of the retail by project residents. These ITE figures tend to be higher than what is expected in an urban environment where transit readily services this neighborhood and provides direct connections to downtown Seattle. This relatively low number of additional trips will not adversely impact the existing levels of service of surrounding intersections.

The estimated increase in trips during the PM peak hours is not considered a significant impact and no mitigation measures or conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance is warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- ☒ [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- ☐ [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – SEPA**During Construction**

The owner applicant/responsible party shall:

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be

posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance (non-appealable)

3. Update the submitted MUP plans to reflect all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis.

Prior to Building Permit Issuance

4. The plans shall reflect those architectural features, details and materials described under all identified priority Design Guidelines.

During Construction

5. Three days prior to the pre-construction conference, contact the Land Use Planner to confirm attendance.

Prior to Building Permit Final

Compliance with design review recommendations must be verified and approved by the Land Use Planner prior to the final building inspection. The applicant/responsible party is responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

6. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lisa Rutzick, 386-9049), or by the Design Review Manager (Vince Lyons, 233-3823). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

7. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
8. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
9. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.
10. Include the Departure Matrix in the Zoning Summary section of the MUP Plans and on all subsequent Building Permit Plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent Building Permit plans.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Lisa Rutzick, (206 386-9049) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: (signature on file)
Lisa Rutzick, Land Use Planner
Department of Planning and Development

Date: May 22, 2006